

JEROME LAMONT LESUEUR,)
)
 Plaintiff,)
)
 v.) No. 4:05-CV-1775 CAS
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)
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 Defendant.)

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge David D. Noce, filed April 13, 2006. See 28 U.S.C. § 636(b). The Magistrate Judge recommended that the case be dismissed sua sponte for failure to state a claim upon which relief can be granted. Neither party has filed an objection to the recommendation.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 9]

An appropriate judgment will accompany this order.

A handwritten signature in black ink, appearing to read "Charles A. Shaw", is written over a horizontal line.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 28th day of April, 2006.

